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10/082,354	4 02/26/2002		Brian Jacobsen	38627-170421	38627-170421 2756	
26694	7590	02/24/2006	EXAMINER		INER	
VENABLE P.O. BOX 34			ABEL JALIL, NEVEEN			
WASHINGTON, DC 20045-9998				ART UNIT	PAPER NUMBER	
				2165		

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	10/082,354	JACOBSEN ET AL.			
Office Action Summary	Examiner	Art Unit			
	Neveen Abel-Jalil	2165			
The MAILING DATE of this communication арр Period for Reply	pears on the cover sheet with the c	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tircuit apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	N. nely filed I the mailing date of this communication. ED (35 U.S.C. § 133).			
Status		·			
<ol> <li>Responsive to communication(s) filed on <u>06 D</u></li> <li>This action is FINAL. 2b) ☐ This</li> <li>Since this application is in condition for alloward closed in accordance with the practice under B</li> </ol>	s action is non-final. nce except for formal matters, pr				
Disposition of Claims					
4) ☐ Claim(s) 1-58 is/are pending in the application 4a) Of the above claim(s) 54-58 is/are withdray 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-53 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	vn from consideration.				
Application Papers					
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine	cepted or b) objected to by the drawing(s) be held in abeyance. Se tion is required if the drawing(s) is ob	e 37 CFR 1.85(a). ojected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>					
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal I 6) Other:				

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### **DETAILED ACTION**

#### Remarks

1. The Amendment filed on December 6, 2005 has been received and entered. Claims 1-58 are pending. Claims 54-58 are withdrawn from consideration.

### Election/Restrictions

- 2. This application contains claims 54-58 drawn to an invention nonelected with traverse in Paper filed on June 28, 2005. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.
- 3. Amendment to the title of the invention is hereby acknowledged and entered.
- 4. Lack of enablement rejection under 112 first paragraph is withdrawn.
- 5. Lack of antecedent basis was overcome with applicant's amendment.

## Claim Objections

6. Claims 40-41, 46, and 48 are objected to because of the following informalities:

Claim 40, recite "medium implementing the method" without stating where the software is coming from (i.e. stored) and without processing or executing the software to implement the method.

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Dependent claim 41, introduced yet another "a tangible computer-readable medium" while depending on claim 40 which has already introduced "A tangible computer-readable medium". Are they meant to be different? Is the claim meant to be an Independent claim, if so, then it should be written as such. This is vague and as such not further limiting.

Claim 46 language is confusing specifically "a host computer executing software from a tangible computer-readable medium. It is unclear where the software is being stored, and whether computer-readable medium is stored or connected to the host computer being referenced here. Since the Specification only states [0033] A "computer system" refers to a system having a computer, where the computer comprises a computer-readable medium embodying software to operate the computer.

Dependent claim 48 introduces yet another "computer-readable medium" different from "tangible computer-readable medium" initially introduced in the Independent claim 46. This is also vague and as such not further limiting.

Appropriate correction or clarification is required.

### Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 3, 25, 40, 41, and 45-53 are rejected under 35 U.S.C. 101 because the claims are directed to a non-statutory subject matter.

9. Claims 40, 41, and 46 are not limited to tangible embodiments. In view of Applicant's disclosure, specification page 8, line 24, the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g., magnetic hard disk; a floppy disk; an optical disk) and intangible embodiments (e.g., carrier waves). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

To overcome this type of 101 rejections the claims need to be amended to include only the physical computer media and not a transmission media or other intangible or non-functional media. For the instant specification, carrier medium and transmission media would be not statutory but storage media would be statutory. Claims should be amended to recite "computer-readable storage".

Claims 47-53 are dependent on rejected Independent claim 46 and therefore carry the same deficiencies.

10. Claims 3, 25, 45, 50 and 53 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Mental processes and abstract ideas are not patentable. The process of approving by a human editor if contents are deemed relevant or not, is a mental process and/or an abstract idea. It is not clear what and how to define human-editor interaction and what constitutes human results.

Applicant's examples (response pg. 20) of patentable subject matter relating to "humans" does not fall within the computer art therefore not deemed to be persuasive.

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If the "filtering" step is done by the human-editor (as claimed in dependent claim 3) then it renders the claim un-statuary since it does not require that functionality to occur in the computer. Search results can be presented and sorted on paper (i.e. filtered) without further processing by the computer. If a step is done entirely by the human user without requiring any computer, then its abstract mental processed and not deemed to fall within one of the statutory categories of Claims to computer-related inventions that are clearly non-statutory fall into the same general categories as non-statutory claims in other arts, namely natural phenomena such as magnetism, and abstract ideas or laws of nature which constitute "descriptive material." When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.

See MPEP 2106 [R-3] Patentable Subject Matter — Computer-Related Inventions. In this case, Claim 3 is dependent on Claim 1 which recite "from a computer network" and "traversing links on the computer network"; however, never connecting the filter to the computer or storing or presenting the results of the filtering in the computer. If the "filtering" is done by "humans" then its abstract and not tied to the computer.

Claims 25, 45, 50 and 53 carry the same deficiency.

## Claim Rejections - 35 USC § 112

11. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12. Claims 1-53 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's amendment to include "tangible" in front of computer-readable medium does not overcome the 35 USC 101 rejections since there's no such disclosure in the specification.

## Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 14. Claims 1-53 are rejected under 35 U.S.C. 102(e) as being anticipated by <u>Legh-Smith et al.</u> (U.S. Patent No. 6,178,419 B1).

As to claims 1, 40, and 41, <u>Legh-Smith et al.</u> discloses a method of compiling and accessing subject-specific information from a computer network, the method comprising the steps of:

traversing links between sites on the computer network (See <u>Legh-Smith et al.</u> column 9, lines 23-67, also see <u>Legh-Smith et al.</u> column 5, lines 31-44);

filtering contents of each site visited to determine relevancy of content to said subject (See <u>Legh-Smith et al.</u> column 4, lines 47-67, also see <u>Legh-Smith et al.</u> column 5, lines 1-27); and

presenting for indexing information on each site deemed relevant by said filtering (See Legh-Smith et al. column 1, lines 23-35, prior art).

As to claims 2, and 24, <u>Legh-Smith et al.</u> discloses further comprising the step of: filtering the contents of a site at least a second time for relevancy, prior to the step of presenting (See <u>Legh-Smith et al.</u> column 6, lines 19-23).

As to claims 3, 25, 45, 50, and 53, <u>Legh-Smith et al.</u> discloses wherein at least one of said filtering steps comprises the steps of:

presenting the contents to a human editor (See <u>Legh-Smith et al.</u> column 8, lines 54-67, wherein "human editor" reads on "GUI" accessed by user);

approving, by the human editor, if the contents are deemed relevant (See <u>Legh-Smith et al.</u> column 9, lines 1-16, wherein "approving" reads on "clicking"); and

disapproving, by the human editor, if the contents are not deemed relevant (See <u>Legh-Smith et al.</u> column 11, lines 47-64, also see <u>Legh-Smith et al.</u> column 12, lines 1-11).

As to claims 4, 14, and 47, <u>Legh-Smith et al.</u> discloses wherein at least one of said filtering steps comprises the step of:

passing the contents of the site through a lexicon-based filter, the filter comparing contents of the site with terminology found in the lexicon (See <u>Legh-Smith et al.</u> column 6, lines 55-67, also see <u>Legh-Smith et al.</u> column 7, lines 1-59).

As to claims 5, and 15, <u>Legh-Smith et al.</u> discloses wherein the step of passing the contents of the site through a lexicon-based filter comprises the steps of:

breaking up a web page corresponding to the site contents into component parts (See Legh-Smith et al. column3, lines 50-52); and

comparing the contents of each component part with the lexicon (See <u>Legh-Smith et al.</u> column 7, lines 37-59).

As to claims 6, 11, 16, and 21, <u>Legh-Smith et al.</u> discloses wherein the step of passing the contents of the site through a lexicon-based filter further comprises the steps of:

assigning a weight to each component part based on a result of the step of comparing (See <u>Legh-Smith et al.</u> column 5, lines 1-27, also see <u>Legh-Smith et al.</u> column 3, lines 53-54); and

deeming the component part to be relevant if it achieves a high-enough weight (See Legh-Smith et al. column 6, lines 1-18).

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As to claims 7, 12, 17, and 22, <u>Legh-Smith et al.</u> discloses wherein the step of assigning a weight comprises the steps of:

assigning a weight to each word, term, or expression in the component part that matches a word, term, or expression in the lexicon, according to a weight associated with the word, term, or expression (See <u>Legh-Smith et al.</u> column 5, lines 1-27); and

accumulating a sum of assigned weights, the sum forming the weight assigned to the component part (See <u>Legh-Smith et al.</u> column 5, lines 1-27).

As to claims 8, 13, 18, and 23, <u>Legh-Smith et al.</u> discloses wherein the step of passing the contents of the site through a lexicon-based filter further comprises the steps of:

saving component parts deemed to be relevant and passing them to the presenting step

(See Legh-Smith et al. column; and

discarding component parts deemed not to be relevant (See <u>Legh-Smith et al.</u> column 12, lines 1-11).

As to claims 9, and 19, <u>Legh-Smith et al.</u> discloses wherein the step of passing the contents of the site through a lexicon-based filter further comprises the steps of:

if at least one component part is deemed to be relevant, passing the web page to the presenting step (See <u>Legh-Smith et al.</u> column 5, lines 45-60, also see <u>Legh-Smith et al.</u> column 6, lines 1-54); and

if no component part is deemed to be relevant, discarding the web page (See <u>Legh-Smith</u> et al. column 12, lines 1-11, also see <u>Legh-Smith</u> et al. column 6, lines 1-23).

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As to claims 10, and 20, <u>Legh-Smith et al.</u> discloses wherein the step of passing the contents of the site through a lexicon-based filter comprises the step of:

comparing the contents of a web page corresponding to the site with the lexicon (See Legh-Smith et al. column 6, lines 55-67, also see Legh-Smith et al. column 7, lines 1-59).

As to claim 26, <u>Legh-Smith et al.</u> discloses further comprising the step of:

replacing the lexicon with a lexicon corresponding to a different subject in order to create a different subject-specific database (See <u>Legh-Smith et al.</u> column 6, lines 55-67, also see <u>Legh-Smith et al.</u> column 7, lines 1-59).

As to claim 27, <u>Legh-Smith et al.</u> discloses further comprising the step of: compiling a database of searchable relevant information (See <u>Legh-Smith et al.</u> column 6, lines 25-67, also see <u>Legh-Smith et al.</u> column 4, lines 23-30).

As to claim 28, <u>Legh-Smith et al.</u> discloses further comprising the steps of:

permitting a user to enter a query; and searching the database for information according to the query (See <u>Legh-Smith et al.</u> column 5, lines 31-35).

As to claims 29, and 32, <u>Legh-Smith et al.</u> discloses further comprising the step of: displaying information found in said step of searching in a hierarchical format (See <u>Legh-Smith</u>

et al. column 7, lines 17-35).

As to claim 30, Legh-Smith et al. discloses further comprising the step of:

determining a site ranking for each site associated with information found in said searching step, where the determining is according to how interesting at least one of authors and users of the computer network have found the site associated with the information (See <u>Legh-Smith et al.</u> column 8, lines 54-67, also see <u>Legh-Smith et al.</u> column 9, lines 1-6, and see <u>Legh-Smith et al.</u> column 11, lines 43-67).

As to claim 31, Legh-Smith et al. discloses further comprising the step of:

displaying the results of the user query using the site ranking of each item of information found in the search to determine an order in which the results are displayed (See <u>Legh-Smith et al.</u> column 6, lines 1-44).

As to claim 32, <u>Legh-Smith et al.</u> discloses wherein the step of displaying the results of the user query comprises the step of:

displaying the results of the user query in a hierarchical format according to site ranking (See <u>Legh-Smith et al.</u> column 9, lines 38-54, also see <u>Legh-Smith et al.</u> column 7, lines 17-67).

As to claim 33, <u>Legh-Smith et al.</u> discloses wherein the step of compiling a database comprises the step of:

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for each relevant site to be stored in the database, assigning a word score to each word appearing on that site (See <u>Legh-Smith et al.</u> column 3, lines 36-57, also see <u>Legh-Smith et al.</u> column 7, lines 60-67, and see <u>Legh-Smith et al.</u> column 8, lines 1-33).

As to claims 34, and 36, <u>Legh-Smith et al.</u> discloses wherein the step of assigning word scores comprises the steps of:

determining all sites found in the database that contain links to the site (See <u>Legh-Smith</u> et al. column 4, lines 42-65);

for each word on the site, assigning a word score for that word based at least in part on its presence on each site containing a link to the site (See <u>Legh-Smith et al.</u> column 3, lines 44-57).

As to claims 35, and 37, <u>Legh-Smith et al.</u> discloses wherein the step of assigning a word score for that word further comprises the step of increasing the word score for each site containing a link to the site if the word appears in close proximity to the link (See <u>Legh-Smith et al.</u> column 3, lines 44-49).

As to claim 38, <u>Legh-Smith et al.</u> discloses further comprising the steps of: entering a user query (See <u>Legh-Smith et al.</u> column 5, lines 31-65);

using the user query to search the database (See <u>Legh-Smith et al.</u> column 6, lines 24-54, also see <u>Legh-Smith et al.</u> column 5, lines 31-65); and

computing a site ranking for each site associated with information found in said searching step, the site ranking being computed based on said word scores (See <u>Legh-Smith et al.</u> column

3, lines 36-57, also see <u>Legh-Smith et al.</u> column 7, lines 60-67, and see <u>Legh-Smith et al.</u> column 8, lines 1-33).

As to claim 39, <u>Legh-Smith et al.</u> discloses wherein the step of computing a site ranking comprises the steps of:

for each site associated with information found in said searching step, summing the word scores for that site corresponding to words in the user query (See <u>Legh-Smith et al.</u> column 6, lines 24-54, also see <u>Legh-Smith et al.</u> column 5, lines 31-65).

As to claim 42, <u>Legh-Smith et al.</u> discloses further comprising the step of: monitoring a depth for each link, the depth being a reflection of relevance (See <u>Legh-Smith et al.</u> column 11, lines 1-46).

As to claim 43, <u>Legh-Smith et al.</u> discloses wherein the step of monitoring comprises the steps of:

for a given site being visited, setting depths of any links leading from that site to other sites to a depth of a link traversed to reach the given site (See <u>Legh-Smith et al.</u> column 9, lines 23-48);

if the given site is determined to be relevant in the filtering step, setting the depths of the links leading from that site to zero (See <u>Legh-Smith et al.</u> column 12, lines 1-11, also see <u>Legh-Smith et al.</u> column 11, lines 5-46); and

if the given site is determined not to be relevant in the filtering step, incrementing the depths of the links leading from that site (See <u>Legh-Smith et al.</u> column 12, lines 1-11, also see <u>Legh-Smith et al.</u> column 11, lines 5-46).

As to claim 44, <u>Legh-Smith et al.</u> discloses wherein the step of monitoring further comprises the steps of:

comparing the incremented depths to a predetermined maximum depth value (See <u>Legh-Smith et al.</u> column 10, lines 4-67);

if the incremented depths exceed the predetermined maximum depth value, discarding the links leading from the given site (See <u>Legh-Smith et al.</u> column 12, lines 1-11);

if the incremented depths do not exceed the predetermined maximum depth value, traversing one of the links leading from the given site (See <u>Legh-Smith et al.</u> column 7, lines 17-35).

As to claim 46, <u>Legh-Smith et al.</u> discloses a system that compiles and permits accessing of subject-specific information from a computer network, the system comprising:

a host computer executing software from a computer-readable medium (See <u>Legh-Smith</u> et al. column 4, lines 31-46), the software comprising:

a smart crawler for traversing the computer network (See <u>Legh-Smith et al.</u> column 5, lines 36-44, also see <u>Legh-Smith et al.</u> column 1, lines 23-35, prior art);

a first filter, filtering out sites that are irrelevant to said subject, and permitting only relevant sites to pass (See <u>Legh-Smith et al.</u> column 5, lines 45-60); and

an indexer indexing the relevant sites (See <u>Legh-Smith et al.</u> column 1, lines 23-40, prior art, also see <u>Legh-Smith et al.</u> column 2, lines 34-64, also see <u>Legh-Smith et al.</u> column 7, lines 17-35); and

memory, connected to the host computer, for storing indexed subject-specific information (See <u>Legh-Smith et al.</u> column 5, lines 61-67, also see <u>Legh-Smith et al.</u> column 6, lines 1-7, also see <u>Legh-Smith et al.</u> column 6, lines 25-54).

As to claims 48, and 52, <u>Legh-Smith et al.</u> discloses wherein the system further comprises an interchangeable computer-readable medium on which is stored the lexicon for the lexicon-based filter, the lexicon containing subject-specific terminology (See <u>Legh-Smith et al.</u> column 6, lines 55-67, also see <u>Legh-Smith et al.</u> column 7, lines 1-59).

As to claims 49, and 51, <u>Legh-Smith et al.</u> discloses wherein the software further comprises at least a second filter (See <u>Legh-Smith et al.</u> column 6, lines 19-24).

# Response to Arguments

15. Applicant's arguments filed on December 6, 2005 have been fully considered but they are not persuasive.

In response to applicant's argument that "Legh-Smith et al. fails to disclose traversing links between sites in the computer network" is acknowledged but not deemed to be persuasive.

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The Applicant is responsible for the entire reference as such Legh-Smith et al. teaches navigating the web in column 1, lines 24-28, and column 1, line 44, prior art. which broadly interpreted to be traversing links between sites... all accomplished by a "search engine" (See Legh-Smith et al. abstract, column 9, lines 23-27). Google.com defined a "search engine" as: A search engine is a searchable online database of Internet resources. It has several components: search engine software, spider software, an index (database), and a relevancy algorithm (rules for ranking). The search engine software consists of a server or a collection of servers dedicated to indexing Internet Web pages, storing the results and returning lists of pages to match user queries. The spidering software constantly crawls the Web collecting Web page data for the index.

In response to applicant's argument that "Legh-Smith et al. fails to disclose filtering contents of each site visited to determine relevancy of content to said subject" is acknowledged but not deemed to be persuasive.

The claim does not state that the "filter" (i.e. special component of the smart crawler) as being part of the crawler or being connected to crawler or indexer. There is no definition being made in the claim of the "filter".

Since the Applicant's own disclosure admits to having the "filtering" done by a human (See Specification page 7, line 12). The Examiner finds <u>Legh-Smith et al.</u> column 9, lines 1-6 as user filtering search results by relevance to keyword query related to searched categories (by subject).

Furthermore, Depth is defined in the Applicant's specification page 7, lines 1-2, as the number of preceding pages that were traversed and were deemed not relevant, which is taught clearly by <u>Legh-Smith et al.</u> column6, lines 11-15, wherein a threshold is a cut of number thereby reading on the argued limitaion.

In response to applicant's argument that "Legh-Smith et al. fails to disclose a smart crawler as defined in the applicant's specification" is acknowledged but not deemed to be persuasive.

Applicant's own specification defines "smart crawler" as operates in the same way as prior art crawlers with additional feature of having a filter 11 (Fig 3A-Specification pg. 11, lines 1-3) which later on is explained to possibly being implemented in either automated or requiring human interaction (Specification pg. 11, lines 9-10). Since the dependent claim language is directed to the human interaction option, it appears that the crawler being claimed is the same as the prior art crawlers. Once results are gathered and indexed on the screen, the human (i.e. user) at their discretion will pick relevant sites (i.e. perform the filtering).

Furthermore, Google.com defines crawler as: A component of a search engine that roams the Web, storing the URLs and indexing the keywords and text of each page encountered. Also referred to as a robot or spider.

Also defined as bot that visits publicly accessible websites following all links it comes across collecting data for search engine 'indexes'. A spider discovers new sites and updates information from sites previously visited. A spider can also be used to check links within a website. Hence, the "search engine" of <u>Legh-Smith et al.</u> broadly reads on the claimed limitation.

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In response to applicant's argument that "<u>Legh-Smith et al.</u> fails to disclose presenting for indexing information on each site deemed to be relevant by said filtering" is acknowledged but not deemed to be persuasive.

Applicant's specification pages 7, lines 23-24, page 19, lines 4-5 discloses the presentation can be shown in a hierarchy of URL's therefore consistent with applied prior art's teachings see <u>Legh-Smith et al.</u> column 4, lines 57-58. <u>Legh-Smith et al.</u> column 9, lines 1-3 explicitly teach the search results are presented not only with URLs but also summary of the content, which is related to the queried keyword (i.e. subject sought).

#### Conclusion

16. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is found on PTO-Form 892 Notice of Reference Cited.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074.

The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil February 20, 2006 SUPERVISORY PATERY EXAMINER